

ORIGINAL

THIS AMENDMENT:

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Passed as amended by



0000103694

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2009 OCT -7 P 12: 02

AZ CORP COMMISSION  
DOCKET CONTROL

**PIERCE PROPOSED AMENDMENT # 2**

DATE PREPARED: October 6, 2009

COMPANY: Chaparral City Water Company

DOCKET NOs: W-02113A-07-0551

OPEN MEETING DATES: October 8, 2009

AGENDA ITEM: U-12

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**Page 29, Line 1**

Delete page 29, line 1 through line 21 and insert the following:

"Although we find that the Commission has authority to award attorneys fees to the Company for the appeal and the remand proceeding, we decline to do so under these circumstances. The Company spent more than \$500,000 to recover an additional \$12,000 in operating income. While no one disputes the Company's right to pursue whatever legal recourse it wants to pursue, we believe the Company should maintain a proper perspective of the costs and benefits associated therewith. In order to ensure the Company undertakes the appropriate analysis of the risks and benefits of litigation, we will not allow the Company to impose the costs of its appeal upon captive ratepayers."

Conforming changes.

